

REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants wish to thank the Examiner for the notice that claims 6-8, 12, 13, 18-21, 24 and 25 are allowed.

Claims 1-4, 9-11, 14-16, 22 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,254,118 (Terasawa et al.) in view of U.S. Patent No. 7,315,741 (Chun). This is a new ground of rejection. The cited portion of the Terasawa reference is not directed to a communication circuit that updates an active link set list as alleged. The cited portions in fact do not mention any updating of an active link set list, only receiving an active set update message by a mobile. Accordingly, the claims are in condition for allowance since the reference does not teach what is alleged. Also, the office action admits that Terasawa fails to teach creating a candidate list of a plurality of reference links to be used as time reference links based on the active link set list and received active link set update message. Chun has been cited as teaching this subject matter.

However, Chun fails to teach what is alleged based on a review of the Chun reference. The Chun reference is directed to a hand over process wherein a network controller receives an active set update and a backup of a present radio link set is performed and the present radio link set is then changed according to the radio link set message. The mobile sends an active set update complete message back to the radio network controller and reverse the changed radio link set back to the previous backup radio link set when a reply signal is not received from the radio network controller even though the operation time of the timer expires. (See Abstract and cited portions of Chun). The office action cites to FIG. 6, col. 5, ln. 65 – col. 6, ln. 21 as allegedly teaching creating a candidate list of reference links to be used as time reference links based on the active link set list and the received active link set update message citing FIGs. 4-6, col. 3, lns. 36-63; col. 5, lns. 6-18;

col. 6, lns. 4-29. However, the cited portion makes no reference to any creation of a candidate list of reference links to be used as time reference links nor to any creation of a candidate list of reference links to be used as time reference links based on the active link set list and the received active link set update message. To the contrary, the cited portions of Chun instead refer to backing up a current radio link set and using the backed up radio link set if a reply signal is not received from an RNC within a particular time period. This is different from the claimed subject matter in which a creation of a candidate list of a plurality of reference links to be used as time reference links is done based on the active link set list and the received active link set update message. The cited portion of Chun makes no reference to creating a candidate list of reference links to be used as time reference links in an asynchronous wireless communication system that is based on a received active link set update message as alleged. Since Chun is silent as to the alleged subject matter and since Chun does not teach what is alleged, Applicants respectfully submit that the claims are in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

New claim 26 is similar to allowable claim 6 and depends on claim 1. Therefore, this claim is also believed to be in condition for allowance.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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By: /Christopher J. Reckamp/
Christopher J. Reckamp
Reg. No. 34,414

Vedder Price P.C.
222 North LaSalle
Chicago, Illinois 60601-1003
312/609-7500
312/609-5005 Facsimile